

EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

STEWART ABRAMSON, individually
and on behalf of a class of all persons and
entitled similarly situated,

Plaintiff,

vs.

PALMCO ENERGY PA L.L.C d/b/a
INDRA ENERGY, SYNEGENCE, LLC,
SHERRIE EDWARDS aka SHERRIE
BRYANT aka SHERRIE BRYANT
EDWARDS and MATRIX ENERGY
GROUP

Defendants.

Case No. 2:19-cv-1675-MJH

CLASS ACTION

**DECLARATION OF JAY GERACI RE:
NOTICE PROCEDURES**

1
2
3
4
5 I, Jay Geraci, declare and state as follows:

6
7 1. I am a Director with KCC Class Action Services, LLC (“KCC”), located at 1
8 McInnis Parkway, Suite 250, San Rafael, California, 94903. The Court appointed KCC as the
9 Claims Administrator in connection with the proposed Settlement. I have personal knowledge of
10 the matters stated herein and, if called upon, could and would testify thereto.

11 **CAFA NOTIFICATION**

12 2. In compliance with the Class Action Fairness Act (“CAFA”), 28 U.S.C. Section
13 1715, KCC compiled a CD-ROM containing the following documents: Class Action Complaint;
14 Answer, Defenses, and Affirmative Defenses; First Amended Class Action Complaint; Answer to
15 First Amended Complaint, and Crossclaims; Preliminary Approval Order; Plaintiff’s Motion for
16 Preliminary Approval of a Class Action Settlement and Incorporated Memorandum in Support;
17 Long Form Notice; Postcard Notice; Email Notice; Publication Notice; Direct Notice Claim
18 Form; Publication Notice Claim Form; Settlement Agreement and Release; [Proposed] Final
19 Order; and [Proposed] Final Judgment, which accompanied a cover letter (collectively, the
20 “CAFA Notice Packet”). A copy of the cover letter is attached hereto as Exhibit A.

21 3. On October 9, 2020, KCC caused fifty-three (53) CAFA Notice Packets to be
22 mailed via Priority Mail from the U.S. Post Office in Memphis, Tennessee to the parties listed on
23 Exhibit B, *i.e.*, the U.S. Attorney General, the Public Utility Commissioners of each of the 50
24 States and the District of Columbia, as well as parties of interest to this Action.

25 4. On November 17, 2020, KCC was contacted by Andrew W. Strumfels, Presiding
26 Officer of the Massachusetts Department of Public Utilities, requesting an additional copy of the
27 CAFA documentation be provided to him. KCC complied with this request on that same date.

28 5. As of the date of this Declaration, KCC has received no other communications

1 with regards to the CAFA Notice Packet from any of the recipients identified in paragraph 3
2 above.

3 CLASS LIST

4 6. On October 16, 2020, KCC received a list of 185,292 records identified as the
5 Class List. The Class List included e-mail addresses and customer identification numbers. KCC
6 formatted the list for e-mailing purposes, removed 1002 duplicate records, and removed 46,131
7 records that were missing an email address. 297 records remained part of the Class List but were
8 withheld from the e-mail notice due to incomplete or invalid e-mail addresses. As a result, the
9 Class List consisted of 138,159 records.

10 E-MAILING OF THE NOTICE

11 7. On October 30, 2020, KCC e-mailed 137,862 e-mail notices to Class Members. A
12 true and correct copy of the e-mail notice can be found attached hereto as Exhibit C.

13 8. On November 3, 2020, KCC determined that 103,376 emails were sent
14 successfully without a notification of a bounce and 34,486 emails failed to be delivered
15 successfully. KCC determined that 34,479 of the 34,486 Class Members whose email failed had a
16 name and mailing address available.

17 E-MAIL BOUNCEBACK MAILING

18 9. On November 27, 2020, KCC caused the Single Postcard notice (collectively, the
19 “Notice Packet”) to be printed and mailed to the 34,479 names and mailing addresses in the Class
20 List. A true and correct copy of the Notice Packet is attached hereto as Exhibit D.

21 REMINDER E-MAILING OF THE NOTICE

22 10. On December 3, 2020, KCC sent a remainder E-Mail Notice to 103,085 Class
23 Members who had a valid email address that had not yet filed a claim.

24 PUBLICATION OF THE SUMMARY NOTICE

25 11. KCC purchased 106,820,000 million impressions to be distributed via the Google
26 Display Network and the social media platform, Facebook. The impressions were geographically
27 targeted to adults in Delaware, District of Columbia, Illinois, Maryland, Massachusetts, New
28

1 Jersey, New York, Ohio, Pennsylvania and Virginia. The impressions appeared on mobile and
2 desktop devices from October 30, 2020 through December 29, 2020. A total of 109,192,491
3 impressions were delivered, resulting in an additional 2,372,491 impressions at no extra
4 charge. Confirmation of the digital notices, as they appeared on a variety of websites are attached
5 hereto as Exhibit E.

6 **SETTLEMENT WEBSITE**

7 12. On or about October 29, 2020, KCC established a website
8 www.PALMcoTCPAsettlement.com dedicated to this matter to provide information to the Class
9 Members and to answer frequently asked questions. The website URL was set forth in the Email
10 Notice, Postcard Notice, Opt-Out Form and Claim Form. Visitors of the website can download
11 copies of the Notice, Long Form Notice, Claim Form, Opt-Out Form, review other case-related
12 documents, and file an online claim. True and correct copies of the Long Form Notice, Claim
13 Form, and Opt-Out Form are attached hereto as Exhibits F, G, and H. As of date of this
14 declaration, the website has received 29,739 visits.

15 **TELEPHONE HOTLINE**

16 13. KCC established and continues to maintain a toll-free telephone number 855-786-
17 0912 for potential Class Members to call and obtain information about the Settlement and to
18 request a Notice Packet. The telephone hotline became operational on October 27, 2020 and is
19 accessible 24 hours a day, 7 days a week. As of date of this declaration, KCC has received a total
20 of 245 calls to the telephone hotline.

21 **CLAIM FORMS**

22 14. The postmark deadline for Class Members to file claims in this matter was
23 December 31, 2020. To date, KCC has received 846 claim forms. As of the date of this
24 declaration, 832 are considered valid representing 842 phone numbers and 14 claims are
25 considered duplicate.
26
27
28

REPORT ON EXCLUSION REQUESTS RECEIVED TO DATE

15. The Notice informs Class Members that requests for exclusion from the Class must be postmarked no later than December 31, 2020. As of the date of this declaration, KCC has received five requests for exclusion. A list of the Class Members requesting to be excluded is attached hereto as Exhibit I.

OBJECTIONS TO THE SETTLEMENT

16. The postmark deadline for Class Members to object to the settlement was December 31, 2020. As of the date of this declaration, KCC has received no objections to the settlement.

PRELIMINARY SETTLEMENT AWARD CALCULATIONS

17. KCC has preliminarily calculated the Class Member settlement awards. These calculations are based on the assumptions that the gross settlement amount is \$1,000,000, and from that amount, deductions are made for: (a) attorneys' fees (\$333,000); (b) attorneys' costs (\$12,000.45); (c) named plaintiff awards (\$10,000); (d) administration costs (\$142,856.32); The remaining amount (\$502,143.23); the "Net Settlement Fund") will be allocated pursuant to the terms of the settlement to those Class Members preliminarily approved for payment. The 832 claims considered valid representing 842 phone numbers provides an estimated \$596.36 per phone number for Class Members. Should the Court-awarded fees or costs differ than those shown above, or if the list of Class Members approved for payment and/or their class data changes, the estimated award allocation calculations will change accordingly.

ADMINISTRATION COSTS

18. As of date of this declaration, KCC estimates its total cost of administration to be \$142,856.32. This amount includes costs to date as well as through the completion of this matter.

19. KCC's estimated fees and charges are based on certain information provided to

1 KCC by the parties as well as significant assumptions. Accordingly, the estimate is not intended
2 to limit KCC's actual fees and charges, which may be less or more than estimated due to the
3 scope of actual services or changes to the underlying facts or assumptions.
4

5 I declare under penalty of perjury under the laws of the United States of America that the
6 foregoing is true and correct.

7 Executed on February 3, 2021 at San Rafael, California.

8
9 _____
JAY GERACI
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Exhibit A



October 9, 2020

VIA PRIORITY MAIL

«First» «Last»
«Company»
«Address_1»
«Address_2»
«City», «State» «Zip»

Re: Notice of Proposed Class Action Settlement Pursuant to 28 U.S.C. § 1715

Dear «First» «Last»:

HUNTON ANDREWS KURTH, LLP represents PALMco Energy PA L.L.C., doing business as Indra Energy (“PALMco”) in a putative class action lawsuit entitled *Stewart Abramson, individually and on behalf of a class of all persons and entities similarly situated, v. PALMco Energy PA L.L.C. doing business as Indra Energy, Synegence, LLC, Sherrie Edwards aka Sherrie Bryant aka Sherrie Bryant Edwards and Matrix Energy Group*, Case No. 2:19-cv-01675-MJH. The lawsuit is pending before the Honorable Marilyn J. Horan in the United States District Court for the Western District of Pennsylvania. This letter is to advise you that Plaintiff filed a Motion for Preliminary Approval of Class Action Settlement in connection with this class action lawsuit on September 30, 2020.

Case Name: *Abramson v. PALMco Energy PA L.L.C. d/b/a Indra Energy, et al.*

Case Number: 2:19-cv-01675-MJH

Jurisdiction: United States District Court,
Western District of Pennsylvania

Date Settlement

Filed with Court: September 30, 2020

PALMco denies any wrongdoing or liability whatsoever, but has decided to settle this action solely in order to eliminate the burden, expense, and uncertainties of further litigation. In compliance with 28 U.S.C. § 1715(b), the following documents referenced below are included on the CD that is enclosed with this letter:



«First» «Last»

October 9, 2020

Page 2

1. **28 U.S.C. § 1715(b)(1) – Complaint and Related Materials:** Copies of the *Class Action Complaint*; *Answer*, *Defenses*, and *Affirmative Defenses*; *First Amended Class Action Complaint*; and *Answer to First Amended Complaint*, and *Crossclaims* are included on the enclosed CD.
2. **28 U.S.C. § 1715(b)(2) – Notice of Any Scheduled Judicial Hearing:** Per the Court's *Preliminary Approval Order*, issued October 2, 2020, the Final Approval Hearing has been scheduled for March 9, 2021 at 10:00 a.m. Eastern before the Honorable Marilyn J. Horan. Copies of the *Preliminary Approval Order* and *Plaintiff's Motion for Preliminary Approval of a Class Action Settlement and Incorporated Memorandum in Support* are included on the enclosed CD.
3. **28 U.S.C. § 1715(b)(3) – Notification to Class Members:** Copies of the *Long Form Notice*, *Postcard Notice*, *Email Notice*, *Publication Notice*, *Direct Notice Claim Form*, and *Publication Notice Claim Form* to be provided to the class are included on the enclosed CD.
4. **28 U.S.C. § 1715(b)(4) – Class Action Settlement Agreement:** A copy of the *Settlement Agreement and Release* is included on the enclosed CD.
5. **28 U.S.C. § 1715(b)(5) – Any Settlement or Other Agreement:** As of October 9, 2020, no other settlement or agreement has been entered into by the Parties to this Action with each other, either directly or by and through their respective counsel.
6. **28 U.S.C. § 1715(b)(6) – Final Judgment:** No Final Judgment has been reached as of October 9, 2020, nor have any Notices of Dismissal been granted at this time. Copies of the *[Proposed] Final Order* and *[Proposed] Final Judgment* are included on the enclosed CD.
7. **28 U.S.C. § 1715(b)(7)(A)-(B) – Names of Class Members/Estimate of Class Members:** While PALMco and KCC Class Action Services, LLC are in the process of gathering information on this issue, pursuant to 28 U.S.C. § 1715(b)(7)(A), at this time a complete list of names of class members as well as each State of residence is not available, because the parties do not presently know the names or current addresses of all the proposed settlement class members and will not learn this information until the Settlement is preliminarily approved and the Court authorizes dissemination of information about the Settlement through the Class Notice. Pursuant to 28 U.S.C. § 1715(b)(7)(B), it is estimated that there are approximately 122,676 individuals in the class.



«First» «Last»

October 9, 2020

Page 3

8. **28 U.S.C. § 1715(b)(8) – Judicial Opinions Related to the Settlement:** As the proposed Settlement is still pending final approval by the Court, there are no other opinions available at this time. As of October 9, 2020, there has been no written judicial opinion related to the settlement.

If for any reason you believe the enclosed information does not fully comply with 28 U.S.C. § 1715, please contact the undersigned immediately so that PALMco can address any concerns or questions you may have.

Thank you.

Sincerely,

/s/

Jeanne M. Chernila
Project Manager

Enclosure – CD Rom

Exhibit B

Last	First	Company	Address 1	Address 2	City	State	Zip
Barr	William P.	Attorney General of the United States	United States Department of Justice	950 Pennsylvania Avenue, NW	Washington	DC	20530-0001
Pickett	Robert	Chair, Regulatory Commission of Alaska	701 West 8th Avenue	Suite 300	Anchorage	AK	99501-3469
Andress Cavanaugh	Twinkle	President, Alabama Public Service Commission	100 North Union Street	Suite 850	Montgomery	AL	36104
Thomas	Ted J.	Chairman, Arkansas Public Service Commission	1000 Center Street		Little Rock	AR	72201-4314
Burns	Bob	Commissioner, Arizona Corporation Commission	1200 West Washington Street		Phoenix	AZ	85007-2996
Batjer	Marybel	President, California Public Utilities Commission	California State Building	505 Van Ness Ave	San Francisco	CA	94102-3298
Ackermann	Jeffrey P.	Chairman, Colorado Public Utilities Commission	1560 Broadway	Ste. 250	Denver	CO	80202
Paslick Gillett	Marissa	Chairman, Connecticut Public Utilities Regulatory Authority	10 Franklin Square		New Britain	CT	06051
Phillips	Willie L.	Chairman, Public Service Commission of the District of Columbia	1325 G Street, N.W., Suite 800		Washington	DC	20005
Winslow	Dallas	Chair, Delaware Public Service Commission	861 Silver Lake Boulevard	Cannon Building	Dover	DE	19904
Clark	Gary F.	Chairman, Florida Public Service Commission	2540 Shumard Oak Boulevard	Gerald Gunter Building	Tallahassee	FL	32399
McDonald Jr.	Lauren "Bubba"	Chairman, Georgia Public Service Commission	244 Washington Street		Atlanta	GA	30334
Griffin	James P.	Chair, Hawaii Public Utilities Commission	465 South King Street	Kekuanao'a Building	Honolulu	HI	96813
Huser	Geri D.	Chair, Iowa Utilities Board	1375 E. Court Avenue	Room 69	Des Moines	IA	50319-0069
Kjellander	Paul	President, Idaho Public Utilities Commission	1331 W. Chinden Blvd.	Building 8, Suite 201-A	Boise	ID	83714
Zalewski	Carrie K.	Chairman, Illinois Commerce Commission	160 North LaSalle Street	Suite C-800	Chicago	IL	60601
Huston	James	Chairman, Indiana Utility Regulatory Commission	PNC Center	101 West Washington Street	Indianapolis	IN	46204
Duffy	Susan K.	Chairman, Kansas Corporation Commission	1500 S.W. Arrowhead Road		Topeka	KS	66604
Schmitt	Michael J.	Commissioner, Kentucky Public Service Commission	211 Sower Boulevard		Frankfort	KY	40601
Boissiere III	Lambert C.	Commissioner, Louisiana Public Service Commission	PO Box 91154	602 North Fifth Street	Baton Rouge	LA	70821-9154
Nelson	Matthew	Chair, Massachusetts Department of Public Utilities	One South Station		Boston	MA	02110
Staneck	Jason	Chairman, Maryland Public Service Commission	16th Floor	6 St. Paul Street	Baltimore	MD	21202-6806
Bartlett II	Philip L.	Chairman, Maine Public Utilities Commission	18 State House Station		Augusta	ME	04333-0018
Scripps	Daniel C.	Chair, Michigan Public Service Commission	7109 West Saginaw Highway		Lansing	MI	48909
Sieben	Katie	Chair, Minnesota Public Utilities Commission	121 Seventh Place East	Suite 350	St. Paul	MN	55101-2147
Silvey	Ryan A.	Chairman, Missouri Public Service Commission	200 Madison Street	Governor Office Building	Jefferson City	MO	65101
Maxwell	Dane	Chairman, Mississippi Public Service Commission	501 North West Street	Woolfolk State Office Bldg.	Jackson	MS	39201-1174
Johnson	Brad	Chairman, Montana Public Service Commission	1701 Prospect Avenue	PO Box 202601	Helena	MT	59620-2601
Mitchell	Charlotte	Chair, North Carolina Utilities Commission	4325 Mail Service Center		Raleigh	NC	27699-4300
Kroshus	Brian	Chairman, North Dakota Public Service Commission	600 E Boulevard Ave	Dept 408	Bismarck	ND	58505-0480
Ridder	Mary	Chair, Nebraska Public Service Commission	PO Box 94927		Lincoln	NE	68509-4927
Martin	Dianne	Chairwoman, New Hampshire Public Utilities Commission	21 South Fruit Street	Suite 10	Concord	NH	03301-2429
Fiordaliso	Joseph L.	President, New Jersey Board of Public Utilities	44 South Clinton Avenue		Trenton	NJ	08625-0350
Byrd	Jefferson L.	Commissioner, New Mexico Public Regulation Commission	1120 Paseo de Peralta		Santa Fe	NM	87501-1269
Williamson	Hayley	Chair, Public Utilities Commission of Nevada	1150 East William Street		Carson City	NV	89701-3109
Rhodes	John B.	Chairman, New York State Public Service Commission	Three Empire State Plaza		Albany	NY	12223-1350
Randazzo	Sam	Chairman, Public Utilities Commission of Ohio	180 East Broad Street		Columbus	OH	43215-3793
Hiett	Todd	Chairman, Oklahoma Corporation Commission	Jim Thorpe Office Building	2101 North Lincoln Boulevard	Oklahoma City	OK	73105-2000
Decker	Megan	Chair, Oregon Public Utility Commission	201 High Street, SE	Suite 100	Salem	OR	97301
Brown Dutrieuille	Gladys	Chairman, Pennsylvania Public Utility Commission	PO Box 3265		Harrisburg	PA	17105
Gerwatowski	Ronald	Chairman, Rhode Island Public Utilities Commission	89 Jefferson Blvd.		Warwick	RI	02888
Belser	Florence P.	Vice Chair, South Carolina Public Service Commission	101 Executive Center Drive, Suite 100		Columbia	SC	29210-8411
Hanson	Gary W.	Chairman, South Dakota Public Utilities Commission	State Capitol	500 East Capitol Avenue	Pierre	SD	57501-5070
Morrison	Robin	Chairman, Tennessee Public Utility Commission	502 Deaderick Street	4th Floor	Nashville	TN	37243
Walker	DeAnn	Chair, Public Utility Commission of Texas	1701 North Congress Avenue		Austin	TX	78701-3326
LeVar	Thad	Commission Chair, Public Service Commission of Utah	160 East 300 South	4th Floor	Salt Lake City	UT	84111
Christie	Mark C.	Commissioner, Virginia State Corporation Commission	1300 East Main Street		Richmond	VA	23219
Roisman	Anthony Z.	Chairman, Vermont Public Utility Commission	112 State Street	4th Floor	Montpelier	VT	05620-2701
Danner	David W.	Chairman, Washington Utilities and Transportation Commission	621 Woodland Square Loop SE		Lacey	WA	98503
Cameron Valcq	Rebecca	Chair, Public Service Commission of Wisconsin	4822 Madison Yards Way		Madison	WI	53705
Lane	Charlotte R.	Chairman, Public Service Commission of West Virginia	201 Brooks Street		Charleston	WV	25301
Fornstrom	Kara	Chairman, Wyoming Public Service Commission	2515 Warren Avenue	Suite 300	Cheyenne	WY	82002
Kracht	Torsten M.	Hunton Andrews Kurth, LLP	2200 Pennsylvania Avenue NW		Washington	DC	20037

Exhibit C

Claim ID: <<ClaimID>>

If you are a person in the United States who was contacted by or on behalf of PALMco or its affiliates promoting PALMco that was called with a pre-recorded message, automated dialing system or was called while on the National Do Not Call Registry for at least 30 days from January 1, 2016 through September 30, 2020, you may be entitled to payment.

A FEDERAL COURT AUTHORIZED THIS NOTICE. THIS IS NOT A SOLICITATION FROM A LAWYER.

Why did I get this Notice? A settlement (“Settlement”) has been proposed in a class action lawsuit pending in the U.S. District Court for the Western District of Pennsylvania titled *Abramson v. PALMCO Energy PA, et al.*, W.D. PA. Case No. 2:19-cv-1675 (“Action”). According to available records, you might be a “Settlement Class Member.” The purpose of this Notice is to inform you of the Action and the Settlement so that you may decide what steps to take in relation to it.

What is the Action about? The Action was filed against PALMCO Corporation d/b/a Indra Energy (“PALMCO”) by an individual alleging PALMCO made unsolicited telemarketing calls. PALMCO denies wrongdoing and liability, and both sides disagree on how much, if anything, the Class could have recovered after trial. **The Court has not decided which side is right. But both sides have agreed to settle the Action and provide certain benefits to Settlement Class Members in order to avoid the costs of continued litigation.**

Am I a Settlement Class Member? You are a “Settlement Class Member” if you fit into the following definition: If you are a person in the United States who was contacted by or on behalf of the Released Parties or its affiliates promoting one or more of the Released Parties that was called with a pre-recorded message, automated dialing system or was called while on the National Do Not Call Registry for at least 30 days from January 1, 2016 through September 30, 2020.

What relief does the Settlement provide? The Settlement provides \$1,000,000 to pay: (1) claims of eligible Settlement Class Members; (2) a Fees, Costs, and Expenses Award to Settlement Class Counsel; (3) a Service Payment to Plaintiff; and (4) costs of Settlement administration and notice. If you are a Settlement Class Member, you are eligible to receive a pro rata share of the Net Settlement Fund by timely and validly submitting a Claim Form. This amount may change, as it depends on the number of timely and valid claims submitted by Settlement Class Members and the number of calls associated with those other Settlement Class Members’ claims. To receive a Settlement award, you must timely complete and submit a valid Claim Form. A Claim Form is available at www.PALMcoTCPAsettlement.com. The deadline to submit a Claim Form is December 31, 2020. If you elect to complete a Claim Form, your Class Member identification number is: <ClaimID>.

What are my other options? If you don’t want to be legally bound by the Settlement, you must exclude yourself by December 31, 2020 or you won’t be able to sue PALMCO or others involved with the calls at issue about the legal claims in the Action ever again. If you stay in the Settlement, you may object to it by December 31, 2020. The detailed Notice available at www.PALMcoTCPAsettlement.com describes the claims you will be releasing if you do not request exclusion and explains how to request exclusion or to object. The Court will hold a hearing on March 9, 2021 at 10:00 a.m. to consider whether to approve the Settlement and a request by the lawyers representing all Class Members for up to \$345,000.45 for a Fees, Costs, and Expenses Award, and for the Plaintiff’s request for a \$10,000 Service Payment. You may ask to appear at the hearing, but you don’t have to.

More information? For complete information about the Settlement, to view the Settlement Agreement, related court documents, Claim Forms, and to learn more about how to exercise your various options under the Settlement, visit www.PALMcoTCPAsettlement.com or call 1-855-786-0912. You may also write to the Settlement Administrator at the email address admin@PALMcoTCPAsettlement.com or the postal address

PALMCO TCPA Settlement Administrator, P.O. Box 43048, Providence, RI 02940-3048.

Exhibit D

PALMCO FUTA Settlement Administrator

P.O. Box 43048

Providence, RI 02940-3048

If you are a person in the United States who was contacted by or on behalf of PALMco or its affiliates promoting PALMco that was called with a pre-recorded message, automated dialing system or was called while on the National Do Not Call Registry for at least 30 days from January 1, 2016 through September 30, 2020, you may be entitled to payment.

A FEDERAL COURT AUTHORIZED THIS NOTICE. THIS IS NOT A SOLICITATION FROM A LAWYER.

PMB

<<Barcode>>

Postal Service: Please Do Not Mark Barcode

Claim#: PMB-<<ClaimID>> - <<MailRec>>

«First1» «Last1»

«CO»

«Addr1» «Addr2»

«City», «St» «Zip»

«Country»

Why did I get this Notice? A settlement ("Settlement") has been proposed in a class action lawsuit pending in the U.S. District Court for the Western District of Pennsylvania titled *Abramson v. PALMCO Energy PA, et al.*, WD PA Case No. 2:19-cv-1675 ("Action"). According to available records, you might be a "Settlement Class Member." The purpose of this Notice is to inform you of the Action and the Settlement so that you may decide what steps to take in relation to it.

What is the Action about? The Action was filed against PALMCO Corporation d/b/a Indra Energy ("PALMCO") by an individual alleging PALMCO made unsolicited telemarketing calls. PALMCO denies wrongdoing and liability, and both sides disagree on how much, if anything, the Class could have recovered after trial. **The Court has not decided which side is right. But both sides have agreed to settle the Action and provide certain benefits to Settlement Class Members in order to avoid the costs of continued litigation.**

Am I a Settlement Class Member? You are a "Settlement Class Member" if you fit into the following definition: If you are a person in the United States who was contacted by or on behalf of the Released Parties or its affiliates promoting the Released Parties that was called with a pre-recorded message, automated dialing system or was called while on the National Do Not Call Registry for at least 30 days from January 1, 2016 through September 30, 2020.

What relief does the Settlement provide? The Settlement provides \$1,000,000 to pay: (1) claims of eligible Settlement Class Members; (2) a Fees, Costs, and Expenses Award to Settlement Class Counsel; (3) a Service Payment to Plaintiff; and (4) costs of Settlement administration and notice. If you are a Settlement Class Member, you are eligible to receive a pro rata share of the Net Settlement Fund by timely and validly submitting a Claim Form. This amount may change, as it depends on the number of timely and valid claims submitted by Settlement Class Members and the number of calls associated with those other Settlement Class Members' claims. To receive a Settlement award, you must timely complete and submit a valid Claim Form. A Claim Form is available at www.PALMcoTCPASettlement.com. The deadline to submit a Claim Form is December 31, 2020. If you elect to complete a Claim Form, your Class Member identification number is: **<ClaimID>**.

What are my other options? If you don't want to be legally bound by the Settlement, you must exclude yourself by December 31, 2020, or you won't be able to sue PALMCO or others involved with the calls at issue about the legal claims in the Action ever again. If you stay in the Settlement, you may object to it by December 31, 2020. The detailed notice available at www.PALMcoTCPASettlement.com describes the claims you will be releasing if you do not request exclusion and explains how to request exclusion or to object. The Court will hold a hearing on March 9, 2021 at 10:00 a.m. to consider whether to approve the Settlement and a request by the lawyers representing all Class Members for up to \$345,000.45 for a Fees, Costs, and Expenses Award, and for the Plaintiff's request for a \$10,000 Service Payment. You may ask to appear at the hearing, but you don't have to.

More information? For complete information about the Settlement, to view the Settlement Agreement, related court documents, Claim Forms, and to learn more about how to exercise your various options under the Settlement, visit www.PALMcoTCPASettlement.com or call 1-855-786-0912. You may also write to the Settlement Administrator at the email address admin@PALMcoTCPASettlement.com or the postal address *PALMCO TCPA Settlement Administrator*, P.O. Box 43048, Providence, RI 02940-3048.

Exhibit E

Abramson v.
PALMco Energy PA L.L.C., et al.
Digital Media Screenshots

INSPIRE, EDUCATE, EQUIP

We make your dreams a reality

Adorama

SHOP NOW

b

NEWS

WEATHER

SPORTS

FOOD

CULTURE

TRAVEL

EVENTS

CARS

REAL ESTATE

ALL

Coronavirus

Daily #s

Town #s

Deaths

Map


Charts

Testing locations

Resources

Boston Helps

TOP STORIES



RED ZONE

Here are the 121 Mass. communities with the highest COVID risk this week

ROLL BACK

Here are the communities that have to roll back to Phase 3, Step 1 due to this week's COVID numbers

DAILY #S

Mass. reports 23 new COVID-19 deaths, 1,488 new cases

POLITICS

Trump pitches 'back to normal' as Biden warns of tough days


ADMISSIONS SCANDAL

Actor Lori Loughlin reports to prison in college admissions scandal


CORONAVIRUS

'An unprecedented, unusual circumstance': How COVID-19 is rattling the school bus industry in Mass.


3 takeaways from the only televised 4th District debate



What we learned from the new data on coronavirus clusters in Massachusetts



The season's first snowfall has arrived. Here's how restaurant owners reacted.



Did you receive a telemarketing call promoting PALMco products between January 1, 2016 and September 30, 2020? You could get money from a class action settlement.

LEARN MORE

PALMcoTCPAsettlement.com

MOST POPULAR

1. Bobby Orr endorses Donald Trump for president

2. What we learned from the new data on coronavirus clusters in Massachusetts

3. Bart Scott comes down on Bill Belichick

4. Here are the Mass. communities that have to roll back to Phase 3, Step 1

5. Massachusetts snow totals: Friday, October 30, 2020

6. Restaurant owners react to the season's first snowfall

KCC



EDUCATION

Queen Anne's County appoints acting schools chief, addressing leadership void

By JONATHAN M. PITTS

1h



POLITICS

Anne Arundel sets new early voting record with more than 78,000 ballots cast; officials set sights on 100,000 voters

By OLIVIA SANCHEZ

1:47 PM

- Catching up before Election Day Tuesday? Here's a roundup of early voting hours, locations, drop-off boxes, Anne Arundel coverage and more.



ANNAPOLIS

City Dock Coffee at Market Space has closed permanently due to 'financial issues,' property owner says

3h



CRIME

Plea agreement for Glen Burnie man sheds light on looming murder trial in pool party shooting

1h



NAVAL ACADEMY

Midshipman's lawsuit claims Naval Academy violated Trump's order barring racial sensitivity training



NAVY

Scouting the opponent: Q&A between The Capital and Pony Stampede ahead of Navy-SMU football game

- Maryland's 4th District: George McDermott runs again for sixth time, challenges Rep. Anthony Brown
- Maryland's 5th District: Republican Chris Palombi challenges House Majority Leader Steny Hoyer

ADVERTISEMENT

Did you receive a telemarketing call promoting PALMco products between January 1, 2016 and September 30, 2020? You could get money from a class action settlement.



LEARN MORE

PALMcoTCPAsettlement.com

SECTIONS

Try, "What Chicago amusement park closed in 1967?"



Search

ONLY \$1 FOR 2 MONTHS
Subscribe now

LOG IN

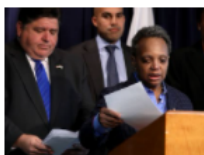
CORONAVIRUS IN ILLINOIS UPDATES



Coronavirus at Illinois long-term care facilities: 34,278 confirmed cases and 5,127 deaths

By CHICAGO TRIBUNE STAFF

1h



The Spin: Lightfoot argues again that bars and restaurants aren't driving COVID-19 spread | Chicago's security plan for Election Day unrest | Foxx-O'Brien nearly tied — in money race

By LISA DONOVAN

1h



Illinois shatters single-day COVID-19 record set a day earlier with nearly 7,000 new cases; a 10th region hit with tighter restrictions

By DAN PETRELLA

1h



Chicago Bears defensive lineman Akiem Hicks is not making excuses on his league-leading 7 penalties: 'It just doesn't work. So fix it, Akiem.'

By COLLEEN KANE

1h

ADVERTISEMENT

Did you receive a telemarketing call promoting PALMco products between January 1, 2016 and September 30, 2020? You could get money from a class action settlement.



LEARN MORE

PALMcoTCPAsettlement.com



NEWS ▾

CORONAVIRUS ▾

WEATHER ▾

LIVE

TRAFFIC ▾

SPORTS ▾

LOCAL 4 YOU ▾

PROGRAMMING ▾

JOB

ABOUT US ▾



LATEST VIDEOS



When to expect Franklin County election results



Ballot issue 2 could decide fate of civilian review board for Columbus police



OSU expert warns calls of fraudulent election results could stoke unrest

Did you receive a telemarketing call promoting PALMco products between January 1, 2016 and September 30, 2020? You could get money from a class action settlement.



LEARN MORE

PALMcoTCPASettlement.com

TOP STORIES



Ohio Bureau of Workers' Compensation approves \$5 billion dividend for employers

Local News / 8 hours ago

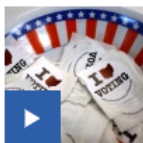


Sheriff's Office: Illinois murder suspect loose in Madison County

Local News / 1 day ago



Ohio to begin accepting applications for \$400M in relief for small businesses, low-income residents, more



Here is when you can do early in-person voting in Franklin County through Election Day

Your Local Election HQ / 6 days ago

work history.

NBC 4 JOBS

Looking For Employment?
SEE AVAILABLE LOCAL JOBS

VIEW JOBS

JOBS

ukey

7 PM	8 PM	12 AM	6 AM
Clear Night	Mainly Clear	Mostly Cloudy	Chilling Breeze
43°	42°	38°	34°

TRENDING ON NBC4I.COM



Did you receive a telemarketing call promoting PALMco products between January 1, 2016 and September 30, 2020? You could get money from a class action settlement.



LEARN MORE

PALMcoTCPAsettlement.com

PHILADELPHIA LOCAL WEATHER INVESTIGATORS ENTERTAINMENT VIDEOS

41° LIVE TV

TRENDING Election Coverage Map: Coronavirus Cases Race in Philly Schooling in a Pandemic LX



CENTER CITY • 40 MINS AGO

2 Good Samaritans Stop Armed Man From Abducting Woman in Center City, Police Say

DECISION 2020 • 9 HOURS AGO

Worried About Snail Mail? Still Plenty of Ways to Hand in Your Mail-In Ballot

DECISION 2020 • 2 HOURS AGO

Region Works to Prevent Any Possible Unrest During and After Election Day



PHILADELPHIA • 11 HOURS AGO

Mayor Kenney, Philly Officials Urge 'Patience' on Election Day and the Days to...

DECISION 2020 • 9 HOURS AGO

Pa. 'Probably' Won't Know Presidential Election Results on Nov. 3, Wolf Says

SENATE • 8 HOURS AGO

GOP Tries to Save Its Senate Majority



4

WASHINGTON

LOCAL

CORONAVIRUS

U.S. & WORLD

WEATHER

INVESTIGATIONS


THE SCENE

51°

LIVE TV


LOCAL

See all




CHARLES COUNTY · 1 HOUR AGO

Charles County Neighborhood Concerned Flooding Will Cut Off Roads



VIRGINIA · 2 HOURS AGO

Alexandria Spotlights Black History With New Walking Tours



HOSPITAL SHOOTING · 1 HOUR AGO

Man Kills Wife in Her Hospital Room

MOST READ

SHOOTING

80-Year-Old Man Fatally Shoots Wife, Himself at Spotsylvania Hospital

KARON HYLTON-BROWN

4 DC Officers on Leave After Karon Hylton-Brown's Fatal Scooter Crash; Body Cam Video Released

KEVIN E. PETERSON JR.

Father: 21-Year-Old Black Man Killed by Washington Deputies

JUMMY OLABANJI

DC Woman Carries On Legacy of Formerly Enslaved Man Who Inspired Jack Daniel's Whiskey

MONTGOMERY COUNTY

Montgomery County to Double Number of Speed, Red Light Cameras

Watch News4 Live

© Mapbox © OpenStreetMap | Improve this map

PAST

4:55 PM

51°

TONIGHT

39°

Broken Clouds

0% Precip

TOMORROW


52°

37 WEATHER ALERTS

See full forecast

PRESENTED BY

JES



Did you receive a telemarketing call promoting PALMco products between January 1, 2016 and September 30, 2020? You could get money from a class action settlement.

LEARN MORE

PALMcoTCPAsettlement.com

KCC

SUBSCRIBE NOW
99¢ for the first month

New Jersey Herald

SUBSCRIBE NOW
99¢ for the first month

News Sports Entertainment Lifestyle Opinion Nation / World Obituaries E-Edition Legals   **Subscribe**



Montague School meals program runs out of food on first day

NEWS 6:47 p.m. ET Nov. 2



Gas pipeline project in West Milford poised for state OK

WEST MILFORD 5:51 p.m. ET Nov. 2



Sparta girls tennis claims regional title

TENNIS 5:38 p.m. ET Nov. 2



Here's how to track your ballot in NJ

ELECTIONS 4:36 p.m. ET Nov. 2

Top Headlines

Greater Sussex Football Weekly Top Performers for Week 5

Second chance coming to claim \$300 unemployment benefit

WeChat, WhatsApp connect Asian voters to campaigns

NJ election: Everything you need to know

How NJ is preparing for potential election unrest

Advertisement



Did you receive a telemarketing call promoting PALMco products between January 1, 2016 and September 30, 2020? You could get money from a class action settlement.

[LEARN MORE](#)

PALMcoTCPAsettlement.com

Daily Briefing, in your inbox!

Start your day with the morning's top news

More Stories

VIDEO 

WEATHER ▾

TRAFFIC ▾

SPORTS ▾

LIVING LOCAL ▾

HR SHOW ▾

EXPERTS

JOBS ▾

ABOUT US ▾



North Carolina / 10 hours ago

Coronavirus / 1 hour ago

[More Virginia News](#) →

Protest scheduled after demonstrators arrested, pepper sprayed at NC voting rally

Your Local Election HQ / 11 hours ago

[More North Carolina News](#) →

LIVING LOCAL



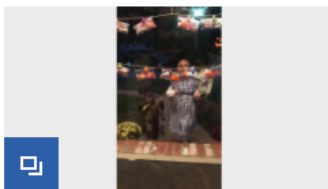
Suffolk paying local artists \$400 to paint mural at community garden

Suffolk / 26 mins ago



Busch Gardens to hold limited capacity 'Christmas Celebration' events

Living Local / 8 hours ago

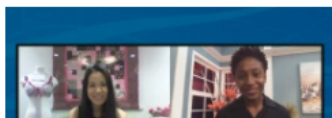


PHOTOS: Hampton Roads trick-or-treating under the blue moon

Halloween / 2 days ago

[More Living Local](#) →

THE HAMPTON ROADS SHOW



Did you receive a telemarketing call promoting PALMco products between January 1, 2016 and September 30, 2020? You could get money from a class action settlement.



[LEARN MORE](#)

PALMcoTCPAsettlement.com



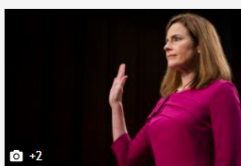


THE LATEST FROM WDEL NEWS

VIDEO EXCLUSIVE |
Wilmington Housing
Authority official charged
after tempers flare at
meeting over property
conditions

DJ McAneny
Published Oct 22, 2020 at 3:02 pm

A meeting over conditions at the Wilmington Housing Authority's Park View Apartments property never took place as organizers'

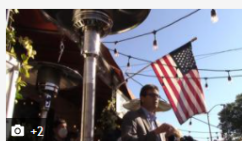


THE LATEST FROM WDEL NEWS

VIDEO | Takeaways from Day 3 of the Amy Coney Barrett confirmation hearings

Alex Rogers | CNN
Published Oct 14, 2020 at 6:48 pm

Supreme Court nominee Amy Coney Barrett faced the Senate Judiciary Committee on Wednesday for likely the last time before the Senate votes to confirm her in two weeks.

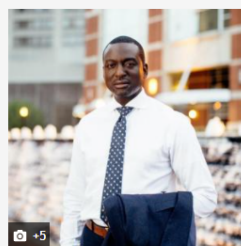


THE LATEST FROM WDEL NEWS

VIDEO | Getting restaurants winter-ready

Mike Phillips Oct 14, 2020 - 2:45 pm

New Castle County is offering a new round of grants aimed at helping restaurants continue outdoor dining as the weather turns cooler and COVID-19 restrictions remain in place.



THE LATEST FROM WDEF NEWS

'Heal' instead of 'kill': Exonerated Central Park Five member talks about what police reforms should look like in Delaware

Amy Cherry Oct 5, 2020 - 2:00 pm

"Why aren't folks seen as innocent until proven guilty?"

Oct 27, 2020 - 3:03 pm

A duck spreads its wings in a pond as fall foliage colors are reflected on the water in Nagano, central Japan.

Follow WDEL



[Submit a News Tip](#)

We're always interested in hearing about news in our community. Contact the WDEL Newsroom: wdelnews@wdel.com or (302) 478-8898.

[Send Email](#)

TrafficWatch

141 DE-141: at the I-95 work zone new traffic pattern. Traffic lights still active at the end of the

46° Kenmore



NEWS ▾ 4 WARN WEATHER ▾ VIDEO SPORTS ▾ COMMUNITY ▾ WATCH LIVE ▾ REPORT IT! FOUND IT ON 4 ABOUT US ▾ JOBS ▾ 

BREAKING NEWS / Chautauqua County Sheriff: Missing private plane has been found, deceased ID'd < 1/2 >

CLOSINGS / There is currently 1 active closing. Click for more details.

WEATHER ALERTS / Wind Advisory: Cattaraugus, Chautauqua, Genesee, Niagara, Northern Erie, Orleans, Southern Erie, Wyoming

Did you receive a telemarketing call promoting PALMco products between January 1, 2016 and September 30, 2020? You could get money from a class action settlement.



[LEARN MORE](#)
PALMcoTCPAsettlement.com


NEWS 4 YOUR ★ LOCAL **ELECTION** HEADQUARTERS

for
Full Election Coverage
CLICK HERE


NEWS 4

FOOD DRIVE

NOVEMBER 2ND TO 19TH
WIN A VIDEO CALL WITH JOSH ALLEN!
[LEARN MORE](#)


9+

2

Like · Reply · 2d

Write a comment...



Abramson v. PALMco Energy PA, LLC, et al.
Sponsored (demo) · 


Did you receive a telemarketing call promoting PALMco products between January 1, 2016 and September 30, 2020? You could get money from a class action settlement.



PALMCOTCPASETTLEMENT.COM

Abramson v. PALMco Energy PA, LLC, et al.
This website has been established to provide general information related to ...


Learn More



 Like

 Comment


 Share






 8h · 




 **Abramson v. PALMco Energy PA, LLC, et al.** Sponsored (demo) · 

Did you receive a telemarketing call promoting PALMco products between January 1, 2016 and September 30, 2020? You could get money from a class action settlement.



PALMCOTCPASETTLEMENT.COM
Abramson v. PALMco Energy PA, LLC, et al. [LEARN MORE](#)
This website has been established to provide general...

 Like  Comment  Share

 8 hrs ·  

VOTE AS IF

Exhibit F

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF PENNSYLVANIA**

STEWART ABRAMSON, individually and on
behalf of a class of all persons and entities
similarly situated,

Plaintiff

vs.

PALMCO ENERGY PA L.L.C d/b/a INDRA
ENERGY, SYNEGENCE, LLC, SHERRIE
EDWARDS aka SHERRIE BRYANT aka
SHERRIE BRYANT EDWARDS and
MATRIX ENERGY GROUP
Defendants.

Case No. 2:19-cv-1675-MJH

NOTICE OF CLASS ACTION AND PROPOSED SETTLEMENT

TO: All persons in the United States who were contacted by or on behalf of PALMco or its affiliates promoting PALMco that were called with a pre-recorded message, automated dialing system or were called while on the National Do Not Call Registry for at least 30 days from January 1, 2016 through September 30, 2020.

IF YOU ARE A MEMBER OF THIS CLASS OF PERSONS, YOU SHOULD READ THIS NOTICE CAREFULLY BECAUSE IT MAY AFFECT YOUR LEGAL RIGHTS AND OBLIGATIONS.

A FEDERAL COURT AUTHORIZED THIS NOTICE. THIS IS NOT A SOLICITATION FROM A LAWYER.

- A settlement (“Settlement”) has been proposed in the class action lawsuit referenced above pending in the United States District Court for the Western District of Pennsylvania (“Action”). You may be a Class Member in the proposed Settlement and may be entitled to participate in the proposed Settlement.
- The United States District Court for the Western District of Pennsylvania has ordered the issuance of this Notice in this Action. PALMco Energy PA L.L.C. d/b/a Indra Energy (“PALMco” or “Defendant”) denies it did anything wrong and has defended itself throughout the lawsuit. The Court has not decided who is right. Both sides have agreed to settle the dispute to avoid burdensome and costly litigation.
- If the Court gives final approval to the Settlement, Defendant and its insurance company will create a fund of \$1,000,000. If you submit a valid Claim Form, you may be eligible to receive a pro rata share of the Net Settlement Fund. The value of a Settlement Class Member’s individual award will depend upon the number of Settlement Class Members who file valid Claim Forms.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT		
SUBMIT A CLAIM FORM	This is the only way to get an award under the Settlement. Visit the Settlement Website located at www.PALMcoTCPAsettlement.com to file a claim or obtain a Claim Form.	Deadline: December 31, 2020
EXCLUDE YOURSELF	If you exclude yourself from the Settlement, you will not receive an award under the Settlement. Excluding yourself is the only option that allows you to bring or maintain your own lawsuit regarding the allegations in the Action ever again.	Deadline: December 31, 2020
OBJECT	You may write to the Court about why you object to (i.e., don't like) the Settlement and think it shouldn't be approved. Submitting an objection does not exclude you from the Settlement.	Deadline: December 31, 2020
GO TO THE "FAIRNESS HEARING"	<p>The Court will hold a "Fairness Hearing" to consider the Settlement, the request for attorneys' fees and costs of the lawyers who brought the Action, and the Representative Plaintiff's request for service awards for bringing the Action.</p> <p>You may, but are not required to, speak at the Fairness Hearing about any objection you submitted to the Settlement. If you intend to speak at the Fairness Hearing, you must also submit a "Notice of Intention to Appear" to the Court and the parties' attorneys, indicating your intent to do so.</p>	<p>Hearing Date: March 9, 2021</p> <p>Time: 10:00 a.m.</p>
DO NOTHING	You will not receive a Settlement award under the Settlement. You will also give up your right to object to the Settlement, and you will not be able to be part of any other lawsuit about the legal claims in this case.	N/A

- These rights and options—**and the deadlines to exercise them**—are explained in more detail below.
- The Court in charge of this Action has preliminarily approved the Settlement and must decide whether to give final approval to the Settlement. The relief provided to Settlement Class Members will be provided only if the Court gives final approval to the Settlement and, if there are any appeals, after the appeals are resolved in favor of the Settlement. *Please be patient.*

WHAT THIS NOTICE CONTAINS

BACKGROUND INFORMATION	3
1. Why did I get this Notice?	
2. What is this lawsuit about?	
3. Why is this a class action?	
4. Why is there a Settlement?	
5. How do I know if I am part of the Settlement?	
6. I'm still not sure if I am included.	
THE PROPOSED SETTLEMENT	5
7. What relief does the Settlement provide to the Class Members?	
HOW TO REQUEST AN AWARD UNDER THE SETTLEMENT—SUBMITTING A CLAIM FORM.....	5
8. How can I get a Settlement award?	
9. When will I get a Settlement award?	
THE LAWYERS IN THIS CASE AND THE PLAINTIFF	5
10. Do I have a lawyer in this case?	
11. How will the lawyers be paid?	
12. Will the Plaintiff receive any compensation for their efforts in bringing this Action?	
DISMISSAL OF ACTION AND RELEASE OF ALL CLAIMS	6
13. What am I giving up to obtain relief under the Settlement?	
HOW TO EXCLUDE YOURSELF FROM THE SETTLEMENT	6
14. How do I exclude myself from the Settlement?	
HOW TO OBJECT TO THE SETTLEMENT	6
15. How do I tell the Court that I disagree with the Settlement?	
16. What is the difference between excluding myself and objecting to the Settlement?	
FAIRNESS HEARING.....	7
17. What is the Fairness Hearing?	
18. When and where is the Fairness Hearing?	
19. May I speak at the hearing?	
ADDITIONAL INFORMATION.....	8
20. How do I get more information?	
21. What if my address or other information has changed or changes after I submit a Claim Form?	

BACKGROUND INFORMATION

1. Why did I get this Notice?

You received this Notice because a Settlement has been reached in this Action and you may be a Class Member. If you are a member of the Settlement Class, you may be eligible for the relief detailed below.

This Notice explains the nature of the Action, the general terms of the proposed Settlement, and your legal rights and obligations. To obtain more information about the Settlement, including information about how you can see a copy of the Settlement Agreement (which defines certain capitalized terms used in this Notice), see Section 20 below.

2. What is this lawsuit about?

An individual (the “Plaintiff”) filed a lawsuit against Defendant on behalf of himself and all others similarly situated. The lawsuit alleges that Defendant violated the Telephone Consumer Protection Act, 47 U.S.C. § 227 (the “TCPA”) by, *inter alia*, placing unsolicited telemarketing calls to Plaintiff and members of the putative class using a pre-recorded message.

Defendant denies each and every one of the allegations of unlawful conduct, any wrongdoing, and any liability whatsoever, and no court or other entity has made any judgment or other determination of any liability. Defendant further denies that any Class Member is entitled to any relief and, other than for settlement purposes, that this Action is appropriate for certification as a class action.

The issuance of this Notice is not an expression of the Court’s opinion on the merits or the lack of merits of the Plaintiff’s claims in the Action.

For information about how to learn about what has happened in the Action to date, please see Section 20 below.

3. Why is this a class action?

In a class action lawsuit, one or more people sue on behalf of other people who allegedly have similar claims. For purposes of this proposed Settlement, one court will resolve the issues for all Settlement Class Members. The company sued in this case, PALMCO ENERGY PA L.L.C d/b/a INDRA ENERGY, is called the Defendant.

4. Why is there a Settlement?

Plaintiff has made claims against Defendant. Defendant denies that it has done anything wrong or illegal and admits no liability. The Court has **not** decided that the Plaintiff or Defendant should win this Action. Instead, both sides agreed to a Settlement. That way, they avoid the cost of a trial, and the Settlement Class Members will receive relief now rather than years from now, if at all.

5. How do I know if I am part of the Settlement?

The Court has decided that everyone who fits this description is a Class Member for purposes of the proposed Settlement: All persons in the United States who were contacted by or on behalf of the Released Parties or its affiliates promoting the Released Parties that were called with a pre-recorded message, automated dialing system or were called while on the National Do Not Call Registry for at least 30 days from January 1, 2016 through September 30, 2020.

6. I’m still not sure if I am included.

If you are still not sure whether you are included in the Settlement Class, you can write or call the Settlement Administrator for free help. The Settlement Administrator’s contact information is below.

PALMCO TCPA Settlement Administrator
P.O. Box 43048
Providence, RI 02940-3048
1-855-786-0912
Email: admin@PALMcoTCPAsettlement.com

THE PROPOSED SETTLEMENT

7. What relief does the Settlement provide to the Class Members?

Defendant and its insurer will create a Settlement Fund of \$1,000,000 which will be used to pay the Claims of Settlement Class Members, Settlement Class Counsel's Fees, Costs, and Expenses Award (see Section 11 below), Plaintiff's Service Payment (see Section 12 below), and compensation for the Settlement Administrator for providing notice to the Settlement Class and administering the Settlement.

If you are a Settlement Class Member, you are eligible to receive a pro rata share of the Net Settlement Fund by timely and validly submitting a Claim Form.

HOW TO REQUEST AN AWARD UNDER THE SETTLEMENT— SUBMITTING A CLAIM FORM

8. How can I get a Settlement award?

To qualify for a Settlement award, you must send in a Claim Form. A Claim Form is available on the Internet at the Settlement website www.PALMcoTCPAsettlement.com. The Claim Form may be submitted electronically or by postal mail. Read the instructions carefully, fill out the form, and postmark it by December 31, 2020 or submit it online on or before 11:59 p.m. (Pacific) on December 31, 2020.

9. When will I get a Settlement award?

As described in Sections 17 and 18, the Court will hold a hearing on March 9, 2021 at 10:00 a.m. Eastern to decide whether to approve the Settlement. If the Court approves the Settlement, after that, there may be appeals. It's always uncertain whether these appeals can be resolved, and resolving them can take time, perhaps more than a year. You can check on the progress of the case on the website dedicated to the Settlement at www.PALMcoTCPAsettlement.com. *Please be patient.*

THE LAWYERS IN THIS CASE AND THE PLAINTIFF

10. Do I have a lawyer in this case?

The Court has ordered that the law firm of Paronich Law, P.C. ("Settlement Class Counsel") will represent the interests of all Settlement Class Members. You will not be separately charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

11. How will the lawyers be paid?

Settlement Class Counsel will petition the Court to receive a Fees, Costs, and Expenses Award up to \$345,000.45 (total, which includes \$12,000.45 in advanced expenses). The Court will make the final decision as to the amount to be paid to the attorneys for their fees and costs. You will not be required to separately pay any attorneys' fees or costs.

12. Will the Plaintiff receive any compensation for their efforts in bringing this Action?

The Plaintiff will request a Service Payment of up to \$10,000 for his services as class representative and his efforts in bringing the Action. The Court will make the final decision as to the amount to be paid to the Plaintiff.

DISMISSAL OF ACTION AND RELEASE OF ALL CLAIMS

13. What am I giving up to obtain relief under the Settlement?

If the Court approves the proposed Settlement, you will be releasing your claims against Defendant and the other entities allegedly involved in the calls at issue unless you have excluded yourself from the Settlement. This generally means that you will not be able to file or pursue a lawsuit against Defendant or be part of any other lawsuit against Defendant asserting claims that were or could have been asserted in the Action. The Settlement Agreement, available on the Internet at the website www.PALMcoTCPASettlement.com, contains the full terms of the release.

HOW TO EXCLUDE YOURSELF FROM THE SETTLEMENT

14. How do I exclude myself from the Settlement?

You may exclude yourself from the Class and the Settlement. You can submit a request for exclusion to the Settlement Administrator electronically (through the Settlement Website) or by postal mail. If you want to be excluded, you must either complete the Opt-Out Form available on the Settlement Website located at www.PALMcoTCPASettlement.com, or write the Settlement Administrator stating: **(a)** the name and case number of the action – “*Abramson v. PALMCO Energy PA, et al.*, W.D. PA. Case No. 2:19-cv-1675”; **(b)** the full name and the class member identification number for the Settlement Class Member assigned by the Settlement Administrator; **(c)** the address and telephone number of the Settlement Class Member seeking exclusion; **(d)** that the requestor does not wish to participate in the Settlement; and **(e)** be signed personally by you. If you are not using the Opt-Out Form on the Settlement Website, the request for exclusion must be sent to the Settlement Administrator at:

PALMCO TCPA Settlement Administrator
P.O. Box 43048
Providence, RI 02940-3048
www.PALMcoTCPASettlement.com

Your request for exclusion must be submitted electronically or be postmarked no later than December 31, 2020, at 11:59 p.m. (Pacific). If you submit your request for exclusion by postal mail, you are responsible for your postage.

If you validly and timely request exclusion from the Settlement Class, you will be excluded from the Settlement Class, you will not be bound by the Settlement Agreement or the judgment entered in the Action, you will not be eligible to make a Claim for any benefit under the terms of the Settlement Agreement, you will not be entitled to submit an objection to the Settlement, and you will not be precluded from prosecuting any timely, individual claim against Defendant based on the conduct complained of in the Action.

HOW TO OBJECT TO THE SETTLEMENT

15. How do I tell the Court that I disagree with the Settlement?

At the date, time, and location stated in Section 18 below, the Court will hold a Fairness Hearing to determine if the Settlement is fair, reasonable, and adequate, and to also consider the attorneys who initiated the Action’s request for a Fees, Costs, and Expenses Award, and a Service Payment to the Plaintiff.

If you wish to object to the fairness, reasonableness, or adequacy of the Settlement Agreement or the proposed Settlement, you must write to the Court and must: **(a)** clearly identify the case name and number – “*Abramson v. PALMCO Energy PA, et al.*, W.D. PA. Case No. 2:19-cv-1675”; **(b)** include the full name and the class

member identification number for the Settlement Class Member assigned by the Settlement Administrator; (c) include the address and telephone number of the objecting Settlement Class Member; (d) include the full name, address, telephone number, and email address of the objector's counsel, and the state bar(s) to which counsel is admitted (if the objector is represented by counsel); and (e) provide a detailed explanation stating the specific reasons for the objection, including any legal and factual support and any evidence in support of the objection. The objection will not be valid if it objects only to the lawsuit's appropriateness or merits. Objections may be submitted to the Settlement Administrator by postal mail. The Settlement Administrator will then have the objections submitted to the Court. Or you may submit the objections directly to the Court. If an objection is submitted by postal mail, the Settlement Class Member must pay for postage. The Settlement Administrator's contact information is below.

PALMCO TCPA Settlement Administrator
P.O. Box 43048
Providence, RI 02940-3048
Email: admin@PALMcoTCPAsettlement.com

The mailing address for the Court is:

Clerk of the Court
Joseph F. Weis, Jr. Courthouse
United States District Court, Western District of Pennsylvania
700 Grant Street
Pittsburgh, PA 15219

The objection must be submitted electronically or be postmarked no later than December 31, 2020 at 11:59 p.m. (Pacific).

You may, but need not, submit your objection through counsel of your choice. If you do make your objection through an attorney, you will be responsible for your personal attorney's fees and costs.

IF YOU DO NOT TIMELY MAKE AN OBJECTION, YOU WILL BE DEEMED TO HAVE WAIVED ALL OBJECTIONS AND WILL NOT BE ENTITLED TO SPEAK AT THE FAIRNESS HEARING.

If you submit a written objection, you have the option to appear and request to be heard at the Fairness Hearing, either in person or through personal counsel. You are not required, however, to appear. However, if you, or your attorney, intend to make an appearance at the Fairness Hearing, you must include on your timely and valid objection a statement substantially similar to "Notice of Intention to Appear." Only those who submit timely objections including Notices of Intention to Appear may speak at the Fairness Hearing. If you make an objection through an attorney, you will be responsible for your attorney's fees and costs.

16. What is the difference between excluding myself and objecting to the Settlement?

Objecting is simply telling the Court that you disagree with something about the Settlement. You can object only if you stay in the Settlement Class. Excluding yourself is telling the Court that you don't want to be part of the Settlement Class. If you exclude yourself, you have no basis to object because the Settlement no longer affects you.

FAIRNESS HEARING

17. What is the Fairness Hearing?
--

The Court has preliminarily approved the Settlement and will hold a hearing to decide whether to give final approval to the Settlement. The purpose of the Fairness Hearing will be for the Court to determine whether the Settlement should be approved as fair, reasonable, adequate, and in the best interests of the Settlement Class; to consider the Fees, Costs, and Expenses Award to the attorneys who initiated the Action; and to consider the request for a Service Payment to the Plaintiff.

18. When and where is the Fairness Hearing?

On March 9, 2021 at 10:00 a.m. Eastern, a hearing will be held on the fairness of the proposed Settlement. At the hearing, the Court will be available to hear any objections and arguments concerning the proposed Settlement's fairness. The hearing will take place before the Honorable Marilyn J. Horan, Joseph F. Weis, Jr. Courthouse, United States District Court, Western District of Pennsylvania, 700 Grant Street, Pittsburgh, PA 15219 on March 9, 2021 at 10:00 a.m. Eastern. The hearing may be postponed to a different date or time or location without notice. Please check www.PALMcoTCPAsettlement.com for any updates about the Settlement generally or the Fairness Hearing specifically. If the date or time of the Fairness Hearing changes, an update to the Settlement Website will be the only way you will be informed of the change.

19. May I speak at the hearing?

At that hearing, the Court will be available to hear any objections and arguments concerning the fairness of the Settlement. You may attend, but you do not have to. As described above in Section 15, you may speak at the Fairness Hearing only if (a) you have timely submitted an objection, and (b) you have timely and validly provided a Notice of Intent to Appear. If you have requested exclusion from the Settlement, however, you may not speak at the Fairness Hearing.

ADDITIONAL INFORMATION**20. How do I get more information?**

To see a copy of the Settlement Agreement, the Court's Preliminary Approval Order, the application for a Fees, Costs, and Expenses Award, and the operative Complaint filed in the Action, please visit the Settlement Website located at: www.PALMcoTCPAsettlement.com. Alternatively, you may contact the Settlement Administrator at the email address admin@PALMcoTCPAsettlement.com or the U.S. postal (mailing) address: *PALMCO TCPA* Settlement Administrator, P.O. Box 43048, Providence, RI 02940-3048. You may also obtain information by calling 1-855-786-0912.

This description of this Action is general and does not cover all of the issues and proceedings that have occurred. In order to see the complete file, you should visit www.pacer.gov or the Clerk's office at Joseph F. Weis, Jr. Courthouse, United States District Court, Western District of Pennsylvania, 700 Grant Street, Pittsburgh, PA 15219. The Clerk will tell you how to obtain the file for inspection and copying at your own expense.

21. What if my address or other information has changed or changes after I submit a Claim Form?

It is your responsibility to inform the Settlement Administrator of your updated information. You may do so at the address below:

PALMCO TCPA Settlement Administrator
P.O. Box 43048
Providence, RI 02940-3048
Email: admin@PALMcoTCPAsettlement.com

* _ * _ *

**DO NOT ADDRESS ANY QUESTIONS ABOUT THE SETTLEMENT
OR THE LITIGATION TO THE CLERK OF THE COURT OR THE JUDGE.**

Exhibit G

PMB

Abramson v. PALMco Energy PA, LLC, et al.
U.S. DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA
Case No. 2:19-cv-1675

**Must Be Postmarked By
December 31, 2020**

Settlement Claim Form

If you are a Class Member and wish to receive a payment, your completed Claim Form must be postmarked on or before December 31, 2020, or submitted online at www.PALMcoTCPAsettlement.com on or before December 31, 2020.

Please read the full Notice of this Settlement (available at www.PALMcoTCPAsettlement.com) carefully before filling out this Claim Form.

To be eligible to receive any benefits from the Settlement obtained in this class action lawsuit, you must submit your Claim Form online or by mail:

ONLINE: Visit www.PALMcoTCPAsettlement.com and submit your claim online
This is the only way to receive your payment via PayPal.

MAIL: *PALMCO TCPA* Settlement Administrator
P.O. Box 43048
Providence, RI 02940-3048

PART ONE: CLAIMANT INFORMATION

Provide your name and contact information below. It is your responsibility to notify the Settlement Administrator of any changes to your contact information after the submission of your Claim Form.

<input type="text"/>	<input type="text"/>	<input type="text"/>
First Name	M.I.	Last Name
<input type="text"/>		
Address		
<input type="text"/>		
Address (continued)		
<input type="text"/>	<input type="text"/>	<input type="text"/>
City	State	ZIP Code

Email Address

Current Telephone Number

PART TWO: ATTESTATION UNDER PENALTY OF PERJURY

I attest under the pains and penalties of perjury that: (1) I believe that I am a member of the Settlement Class; and (2) I received one or more phone calls and/or text messages marketing PALMco products from January 1, 2016 through September 30, 2020 on the following telephone number owned by me:

Telephone Number at which calls and/or texts were received

Type of Phone: ☐ Landline ☐ Cell Phone

I have attached hereto a telephone bill establishing proof of my ownership of the telephone number.

I also certify that this is the only claim that I am submitting in connection with the above telephone number.

I wish to receive any payment from this Settlement by check. I understand that if I wish to receive electronic payment to my PayPal account, I must submit my Claim Form online and provide the email address associated with my PayPal account.

Signature: _____ Date (mm/dd/yyyy): _____

Print Name: _____

CLAIM FORM REMINDER CHECKLIST

Before submitting this Claim Form, please make sure you:

1. Complete all fields in the Claimant Information section of this Claim Form.
2. Attach a telephone bill providing proof of ownership of the telephone number. You must provide proof of ownership of the telephone number to receive Settlement benefits.
3. Sign the Attestation in Part Two. You must sign the Attestation in order to be eligible to receive Settlement benefits.

Please keep a copy of your Claim Form for your records.

**QUESTIONS? VISIT WWW.PALMCOTCPASETTLEMENT.COM
OR CALL 1-855-786-0912 TOLL-FREE**

Exhibit H

PALMCO TCPA Settlement Administrator
P.O. Box 43048
Providence, RI 02940-3048

PMB

Abramson v. PALMco Energy PA, LLC, et al.

U.S. DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

Case No. 2:19-cv-1675

«Barcode»

Postal Service: Please do not mark barcode

Claim#: PMB-«ClaimID» - «MailRec»

«First1» «Last1»

«CO»

«Addr1» «Addr2»

«City», «St» «Zip»

«Country»

**Must Be Postmarked By
December 31, 2020**

Opt-Out Form

Abramson v. PALMco Energy PA, LLC, et al.

Only use this Form if you want to request exclusion from (i.e., opt out of) the proposed Settlement Class. For more information on the proposed Settlement, please visit www.PALMcoTCPAsettlement.com.

Section I: Instructions

This Form must be postmarked received by the Settlement Administrator no later than December 31, 2020 at 11:59 p.m. Pacific.

This Opt-Out Form may be submitted in one of three ways:

1. Electronically through this Settlement Website www.PALMcoTCPAsettlement.com.
2. Via email to admin@PALMcoTCPAsettlement.com. Please fill out the enclosed pages, scan the document in its entirety, and include the Form as an attachment.
3. Mail to: *PALMCO TCPA* Settlement Administrator, P.O. Box 43048, Providence, RI 02940-3048.

To be effective as an opt-out from the proposed Settlement, this Form must be completed, signed, and sent, as outlined above, postmarked no later than **December 31, 2020 at 11:59 p.m. Pacific**. If this Form is not postmarked or received by this date, you will remain a member of the Settlement Class.

Opting out of the Settlement Class is not the same as objecting to the Settlement Agreement. If you request exclusion from the Settlement Class prior to **December 31, 2020**, you will not be bound by the terms of the Settlement Agreement, and therefore cannot argue that the Settlement Agreement should not be approved. More information about objecting to the Settlement is available at www.PALMcoTCPAsettlement.com.

Section II: Settlement Class Member Information

[illegible]

* Your class member identification number was on the Notice of the Settlement you received by email or by postal mail. If you do not have your class member identification number, call or email the Settlement Administrator for assistance at 1-855-786-0912 or admin@PALMcoTCPAsettlement.com.



FOR CLAIMS PROCESSING ONLY	OB		CB		<input type="radio"/> DOC <input type="radio"/> LC <input type="radio"/> REV	<input type="radio"/> RED <input type="radio"/> A <input type="radio"/> B

Current Contact Information

Street Address (Required)

Address (continued)

City (Required)

State

ZIP Code

Email Address (Optional)

Preferred Telephone Number

Your contact information will be used by the Settlement Administrator to contact you, if necessary, about your request for exclusion. Provision of your phone number is optional.

Section III: Attestation, Opt-Out Request, Signature and Submit

Through the submission of this Form, I attest that I have received notice of the class action Settlement in this case and I am a member of the Class of persons described in the Notice. I further attest that I request exclusion from the Settlement Class in *Abramson v. PALMco Energy PA, LLC, et al.*, Case No. 2:19-cv-1675. By signing below, I agree to the submission of this Opt-Out Form.

Signature: _____ Date (mm/dd/yyyy): _____

Print Name: _____



Exhibit I

ABRAMSON v. PALMCO ENERGY EXCLUSION REPORT

Exclusion List		
ClaimID	Last	First
10028379201	CHAFFIN	ROBERT
60000102401	FERRARO	CHARLOTTE
10146041701	MCKAY	ROCHELLE
10054007701	NGEN	ETHEL
60000078801	PERRONG	ANDREW